

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DAVID J. CATANZARO,

Plaintiff,

VS.

WALMART STORES, INC.,

WALMART.COM,

ALIEXPRESS,

MICHAELS STORES, INC.,

MSPCI,

WEGMANS FOOD MARKETS, INC.,

AMAZON.COM, INC.,

DIAMOND VISION INC.,

CURRENT MEDIA GROUP INC.,

USIMPRINTS,

STAPLES PROMOTIONAL PRODUCTS,

RAKUTEN AMERICAS,

PRICE US WHOLESALE,

BONANZA.COM, INC.,

WHOLESALE IN MOTION GROUP, INC.,

ANYPROMO INC.,

DHGATE;

and DOES 1 THROUGH 50

Defendants.

Case No. 3:22-cv-1768

JUDGE MALACHY E MANNION

JURY TRIAL DEMANDED

**FILED  
SCRANTON**

DEC 15 2023

PER

  
DEPUTY CLERK

**REQUEST FOR DEFAULT**

**FOR DEFENDANTS ALIEXPRESS; USIMPRINTS; PRICE US WHOLESALE;  
WHOLESALE IN MOTON GROUP, INC.; ANYPROMO INC. and DHGATE**

To the Clerk of the United States District Court for the Middle District of Pennsylvania: Plaintiff, David J. Catanzaro hereby requests pursuant to Rule 55(a) of the Federal Rules of Civil Procedure that the Clerk enter default of the following

defendants ALIEXPRESS; USIMPRINTS; PRICE US WHOLESALE; WHOLESALE IN MOTON GROUP, INC; ANYPROMO INC. and DHGATE for failure to plead or otherwise defend this action in a timely manner.

**Defendant ALIEXPRESS:**

(1) As shown by the proof of service previously filed with this Court on 7/6/23 (**Doc. 41**), the above-named Defendant was served through their parent company **ALIBABA GROUP** pursuant to Rule 4 of the Federal Rules of Civil Procedure on 6/15/23.

(2) The applicable time limit for the above-named Defendant to appear or otherwise respond to this action under Rule 12 Federal Rules of Civil Procedure expired on 7/7/23.

**Defendant USIMPRINTS:**

(1) As shown by the proof of service previously filed with this Court on 7/6/23 (**Doc. 42**), the above-named Defendant was served pursuant to Rule 4 of the Federal Rules of Civil Procedure on 6/7/23.

(2) The applicable time limit for the above-named Defendant to appear or otherwise respond to this action under Rule 12 Federal Rules of Civil Procedure expired on 6/29/23.

**Defendant PRICE US WHOLESALE:**

(1) As shown by the proof of service previously filed with this Court on 7/6/23 (**Doc. 43**), the above-named Defendant was served pursuant to Rule 4 of the Federal Rules of Civil Procedure on 7/3/23.

(2) The applicable time limit for the above-named Defendant to appear or otherwise respond to this action under Rule 12 Federal Rules of Civil Procedure expired on 7/25/23.

**Defendant WHOLESALE IN MOTON GROUP, INC:**

(1) As shown by the proof of service previously filed with this Court on 7/6/23 (**Doc. 43**), the above-named Defendant was served pursuant to Rule 4 of the Federal Rules of Civil Procedure on 6/7/23.

(2) The applicable time limit for the above-named Defendant to appear or otherwise respond to this action under Rule 12 Federal Rules of Civil Procedure expired on 6/29/23.

**Defendant ANYPROMO INC.:**

(1) As shown by the proof of service previously filed with this Court on 7/6/23 (**Doc. 45**), the above-named Defendant was served pursuant to Rule 4 of the Federal Rules of Civil Procedure on 6/8/23.

(2) The applicable time limit for the above-named Defendant to appear or otherwise respond to this action under Rule 12 Federal Rules of Civil Procedure expired on 6/30/23.

**Defendant DHGATE:**

(1) As shown by the proof of service previously filed with this Court on 7/10/23 (**Doc. 50 Page 3**), the above-named Defendant was served pursuant to Rule 4 of the Federal Rules of Civil Procedure on 6/29/23.

(2) The applicable time limit for the above-named Defendant to appear or otherwise respond to this action under Rule 12 Federal Rules of Civil Procedure expired on 7/21/23.


**AFFIDAVIT**

That the Plaintiff David J. Catanzaro a pro se litigant hereby declares under penalty of perjury, pursuant to 28 U.S.C. § 1746(2) that the following statements are true and correct:


1. That I David J. Catanzaro am the Plaintiff in the above captioned matter.
2. I hereby make application to the Clerk of this Court for entry of default as to defendants ALIEXPRESS (ALIBABA GROUP); USIMPRINTS; PRICE US WHOLESALE; WHOLESALE IN MOTON GROUP, INC; ANYPROMO INC. and DHGATE pursuant to Rule 55(a), Federal Rules of Civil Procedure, and in support of this application do show that:


- A. As shown by the proofs of service filed by plaintiff with this Affidvit (as attached **Exhibit "A"**), the above-named Defendants (as outlined in point 2.) were properly served with copies of Plaintiff's Summons and Complaint as provided by Rule 4(c)(1), Federal Rules of Civil Procedure;
- B. Upon Plaintiff's information and belief, the defendants, are neither an infant nor an incompetent person requiring special service in accordance with Rule 4, Federal Rules of Civil Procedure, and are not serving with the armed forces of the United States entitled to the protection of 50 U.S.C. App. Section 520;
- C. The defendants have neither answered nor otherwise responded formally to the Plaintiff's Summons and Complaint, and the time to do so, as provided in Rule 12(a), Federal Rules of Civil Procedure, has expired.

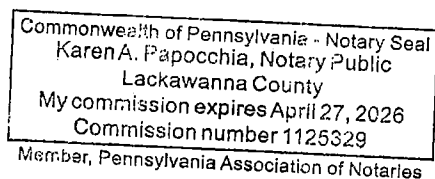
Dated: December 15, 2023

By:   
David J. Catanzaro  
Plaintiff *Pro Se*  
286 Upper Powderly Street  
Carbondale, PA 18407  
Phone: (570) 936-9262  
E-mail: [davidjosephus@aol.com](mailto:davidjosephus@aol.com)

Notary Public

  
Title And Rank

  
Date Of Commission Expiry



**CERTIFICATE OF SERVICE**

I, **DAVID J. CATANZARO**, hereby certify that on this 15<sup>th</sup> day of December, 2023, a true and correct copy of the foregoing was filed with the Clerk through the Court electronically. Notice of this filing will be sent to all parties disclosed herein by operation of the Court's electronic filing system. Parties may access this filing through the Court's system. Additionally, a copy of this filing was served on the following defendants via US Mail.

ALIEXPRESS / ALIBABA GROUP  
400S El Camino Real # 400, San Mateo,  
San Mateo, CA 94402

USIMPRINTS  
200 E Main St Suite 200-17  
Franklin, TN 37064

PRICE US WHOLESALE  
2240 East 17<sup>th</sup> Street  
Brooklyn, NY 11229

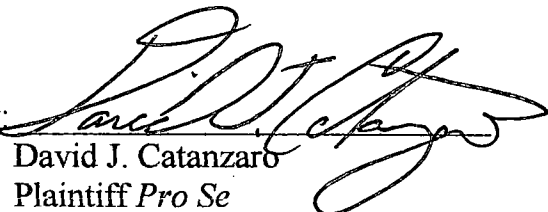
WHOLESALE IN MOTON GROUP INC.  
2240 East 17<sup>th</sup> St.  
Brooklyn, NY 11229

ANYPROMO INC.  
1511 East Holt Boulevard  
Ontario, CA 91764

DHA GATE  
381 Brea Canyon Road  
Walnut, CA 91789

**Non Responsive Defendants**

Dated: December 15, 2023

By:   
David J. Catanzaro  
Plaintiff *Pro Se*  
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